

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,
DUNOON
on TUESDAY, 1 JULY 2008**

Present: Councillor B Marshall (Chair)

Councillor A MacAlister	Councillor R Simon
Councillor R Macintyre	Councillor I Strong
Councillor A McNaughton	Councillor J R Walsh
Councillor J McQueen	

Attending: Shirley MacLeod, Area Corporate Services Manager
David Eaglesham, Area Team Leader, Development Control

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Scoullar.

2. DECLARATIONS OF INTEREST

Councillor R Macintyre declared a non financial interest in agenda item 4b by reason being a friend of the applicant. Councillor B Marshall declared a non pecuniary interest in item 4e by reason of having dealt with the applicant on a business matter. Having declared these interests the Members left the meeting while these matters were being discussed and took no part in the consideration of them.

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 3RD JUNE 2008

The Minute of the Area Committee of 3rd June 2008 was approved as a correct record with an amendment to the 7th word on the first line of the second paragraph, of agenda item 4a to read "netball" instead of "badminton"

(b) MINUTE OF PLANNING HEARING 07/01171/OUT OF 21ST MAY 2008

The Minute of Planning Hearing 07/01171/OUT of 21st May 2008 was approved as a correct record with an amendment to the 3rd word on the last line of the first paragraph, of summing up to read "principle" instead of "principal".

(c) MINUTE OF PLANNING HEARING 08/00550/DET OF 21ST MAY 2008

The Minute of Planning Hearing 08/00550/DET of 21st May 2008 was approved as a correct record with an amendment to the last word on the last line of the first paragraph, of summing up to read "principle" instead of "principal".

4. DEVELOPMENT SERVICES

- (a) **PLANNING APPLICATION 08/00322/DET, TARYA ANN WATSON, 106 DIXON AVENUE, DUNOON**

Motion

The application be approved because the scale and situation of the proposed extension will not dominate and should not have an adverse effect upon neighbours and provided materials are complimentary the extension will meet Policy BE9 of the Cowal Local Plan and LP POL HOU5 of the Argyll and Bute Local Plan. Because the design is not unsympathetic in the context of the surrounding streetscape the extension will not contravene Policy BE9 of the Cowal Local Plan, and LP ENV19 of the Argyll and Bute Local Plan.

For these reasons and the expressed need by the applicant I wish to put a motion that planning permission be granted subject to the standard conditions and reason, with an informative to the applicant regarding private land ownership considerations.

Proposed: Councillor B Marshall
Seconded: Councillor A MacAlister

Decision

The Committee unanimously agreed that the planning application be approved subject to the standard conditions by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd May 2008 – submitted)

- (b) **OUTLINE PLANNING APPLICATION 07/01330/OUT, MR D HAIG, GROUND TO REAR OF ST BLANES HOTEL, KILCHATTAN BAY, ISLE OF BUTE**

Councillor R Macintyre, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter.

Decision

The Committee agreed that the planning application be approved subject to the standard conditions by the Head of Planning Services.

Councillor I Strong asked for her dissent with this decision to be recorded in the minutes.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 and 19th November 2007 – submitted)

(c) **PLANNING APPLICATION 07/01931/DET, JOHN MCGINNES, 2 COLBECK PLACE, COLBECK LANE, ROTHESAY**

Motion

That the planning application be approved because the windows closely match in appearance the non original windows which are to be replaced. The replacement windows would not have an adverse impact on the special architectural interest of the building and therefore can be justified in term of the policies STRAT DC9 of the Argyll and Bute Structure Plan POL BE6 of the Bute Local Plan and Policies LP ENV13a and LP ENV14 of the Argyll and Bute Local Plan.

I move that the application for Listed Building Consent be notified to Scottish Ministers with an indication that the Council is minded to grant Listed Building Consent subject to the standard conditions and reasons.

I move that the application for Planning Permission be granted subject to the standard conditions and reasons with a note to the applicant advising not to proceed until Listed Building Consent has been issued.

Proposed: Councillor I Strong
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed that the planning application be approved subject to the standard conditions and reasons by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 – submitted)

(d) **LISTED BUILDING CONSENT 07/01929/LIB, JOHN MCGINNES, 2 COLBECK PLACE, COLBECK LANE, ROTHESAY**

Motion

That the listed building application be approved because the windows closely match in appearance the non original windows which are to be replaced. The replacement windows would not have an adverse impact on the special architectural interest of the building and therefore can be justified in term of the policies STRAT DC9 of the Argyll and Bute Structure Plan, POL BE6 of the Bute Local Plan and Policies LP ENV13a and LP ENV14 of the Argyll and Bute Local Plan.

I move that the application for Listed Building Consent be notified to Scottish Ministers with an indication that the Council is minded to grant Listed Building Consent subject to the standard conditions and reasons.

I move that the application for Planning Permission be granted subject to the standard conditions and reasons with a note to the applicant advising not to proceed until Listed Building Consent has been issued.

Proposed: Councillor I Strong
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed to notify Scottish Ministers that the listed building consent be approved subject to the standard conditions and reasons by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 23rd June 2008 – submitted)

(e) **PLANNING APPLICATION 07/02258/DET, SARAH BLACK, BAY COTTAGE, STRACHUR**

Councillor B Marshall, having declared a non financial interest in this item, left the meeting and took no part in the discussion of this matter. Councillor J R Walsh took over the chair while Councillor Marshall was absent.

Motion

That the application be approved as a minor departure from the development plan for the reasons below, subject to the standard condition and reason and further conditions regarding access and parking to be delegated to the Head of Planning Services.

Reasoned Justification for a Departure from the Provisions of the Development Plan.

The proposal is contrary to the provisions of Policy POL HO 9 “Sensitive Settlements” of the Cowal local Plan 1993. However, this Plan is now seriously out of date and the site lies within the Settlement Zone of Strachur as shown in the Argyll and Bute Modified Finalised Draft Local Plan 2006. At this part of the village, there is limited development on the shore side of the A886 but the pattern of development is dictated by the depth of the available plots and there is adequate room to construct a dwellinghouse on this plot without unreasonably impacting on either the amenities of adjacent properties or adversely affecting the character of the developed coast. Moreover, there would appear to be little opportunity to develop additional land on the shoreward side of the A886, so the proposal would not set an undesirable precedent for further development. The proposal therefore represents acceptable development of the settlement of Strachur on the west of the A886 in accordance with the Argyll and Bute Local Plan, and can be approved as a minor departure from the Cowal Local Plan.

Proposed: Councillor R Simon
Seconded: Councillor A McNaughton

Decision

The Committee unanimously agreed that the planning application be

approved subject to the standard conditions and reasons by the Head of Planning Services, and further conditions regarding access and parking to be delegated to the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 24th June 2008 – submitted)

- (f) **CHANGE OF USE APPLICATION 08/00845/COU, KASHMIR & RAJNI RAM, PAPA RAMS, JACKSON HOUSE (FORMERLY LAZARETTO POINT HOTEL), SHORE ROAD, SANDBANK**

Motion

The change of use be approved subject to the conditions contained in the report by the Head of Planning Services.

Proposed: Councillor R Macintyre
Seconded: Councillor A MacAlister

Amendment

The change of use application be continued for a period of one month for clarification on potential bad neighbour development with regards to noise and smell.

Proposed: Councillor B Marshall
Seconded: Councillor R Simon

With the matter being put to a vote 3 voted for the Motion and 5 for the Amendment.

Decision

The change of use application be continued for a period of one month for clarification on potential bad neighbour development with regards to noise and smell.

(Reference: Report by the Head of Planning Services dated 24th June 2008 – submitted)

5. EXEMPT ITEMS

- (a) **ENFORCEMENT REPORTS - TO FOLLOW**

Decision

Enforcement Report 03/00084/ENFOTH - noted